

STATE BUDGET AND CONTROL BOARD
MEETING OF September 19, 2006

BLUE AGENDA
ITEM NUMBER 2

AGENCY: General Services Division

SUBJECT: Easements

The General Services Division requests approval of the following easement in accordance with SC Code of Laws Sections 1-11-80, 1-11-90, 1-11-100 and 10-1-130:

- (a) County Location: Horry County
From: Budget and Control Board
To: Squires Farms, Inc.
Consideration: \$2,215.00
Description/Purpose: To grant a 0.64 acre easement for ingress and egress across an ETV tower site to a developer for residential purposes.

The General Services Division requests that the Board concur and acquiesce in granting the following easement in accordance with SC Code of Laws:

- (b) County Location: Orangeburg County
From: South Carolina State University
To: Department of Transportation
Consideration: \$1.00
Description/Purpose: To concur and acquiesce in granting a 30 foot right-of-way easement for road improvements from U.S. Route 601 to Road S-153 (Buckley St.) and the granting of permission to perform construction improvements necessary to conform property to the proposed roadway improvements.

BOARD ACTION REQUESTED:

Approve and concur and acquiesce the referenced easements.

ATTACHMENTS:

Agenda item worksheet and attachment

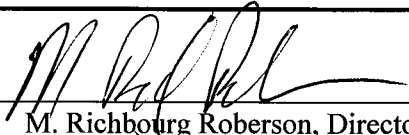
BUDGET AND CONTROL BOARD AGENDA ITEM WORKSHEET

Meeting Scheduled for: September 19, 2006

Blue Agenda

1. Submitted by:

- (a) Agency: General Services Division
- (b) Authorized Official Signature:


M. Richbourg Roberson, Director

2. Subject: EASEMENTS

3. Summary Background Information:

The General Services Division requests that the Board approve the following easements in accordance with SC Code of Laws:

- (a) County Location: Horry County
- From: Budget and Control Board
- To: Squires Farms, Inc.
- Consideration: \$2,215.00
- Description/Purpose: To grant a 0.64 acre easement for ingress and egress across an ETV tower site to a developer for residential purposes.

The General Services Division requests that the Board concur and acquiesce in granting the following easement in accordance with SC Code of Laws:

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- From: South Carolina State University
- To: Department of Transportation
- Consideration: \$1.00
- Description/Purpose: To concur and acquiesce in granting a 30 foot right-of-way easement for road improvements from U.S. Route 601 to Road S-153 (Buckley St.) and the granting of permission to perform construction improvements necessary to conform property to the proposed roadway improvements.

4. What is Board asked to do? Approve and concur and acquiesce the referenced easements.

5. What is recommendation of Board Division involved? Recommend approval and concurrence and acquiescence of the referenced easements.

6. Recommendation of other Division/Agency (as required)?

- (a) Authorized Signature: _____
- (b) Division/Agency Name: _____

7. List of Supporting Documents:

- (a) SC Code of Laws Sections 1-11-80, 1-11-90, 1-11-100 and 10-1-130
- (b) Budget and Control Board Easement Policy

SECTION 1-11-80. Board authorized to grant easements for public utilities on vacant State lands.

The State Budget and Control Board is authorized to grant easements and rights of way to any person for construction and maintenance of power lines, pipe lines, water and sewer lines and railroad facilities over, on or under such vacant lands or marshland as are owned by the State, upon payment of the reasonable value thereof.

SECTION 1-11-90. Board authorized to grant rights of way over State marshlands for roads or power or pipe lines to State agencies or political subdivisions.

The State Budget and Control Board may grant to agencies or political subdivisions of the State, without compensation, rights of way through and over such marshlands as are owned by the State for the construction and maintenance of roads, streets and highways or power or pipe lines, if, in the judgment of the Budget and Control Board, the interests of the State will not be adversely affected thereby.

SECTION 1-11-100. Execution of instruments conveying rights of way or easements over marshlands or vacant lands.

Deeds or other instruments conveying such rights of way or easements over such marshlands or vacant lands as are owned by the State shall be executed by the Governor in the name of the State, when authorized by resolution of the Budget and Control Board, duly recorded in the minutes and records of such Board and when duly approved by the office of the Attorney General; deeds or other instruments conveying such easements over property in the name of or under the control of State agencies, institutions, commissions or other bodies shall be executed by the majority of the governing body thereof, shall name both the State of South Carolina and the institution, agency, commission or governing body as grantors, and shall show the written approval of the majority of the members of the State Budget and Control Board.

SECTION 10-1-130. State institutions and agencies may grant easements and rights of way on consent of Budget and Control Board.

The trustees or governing bodies of State institutions and agencies may grant easements and rights of way over any property under their control, upon the concurrence and acquiescence of the State Budget and Control Board, whenever it appears that such easements will not materially impair the utility of the property or damage it and, when a consideration is paid therefor, any such amounts shall be placed in the State Treasury to the credit of the institution or agency having control of the property involved.

STATE OF SOUTH CAROLINA
State Budget and Control Board
GENERAL SERVICES DIVISION

MARK SANFORD, CHAIRMAN
GOVERNOR

GRADY L. PATTERSON, JR.
STATE TREASURER

RICHARD ECKSTROM
COMPTROLLER GENERAL



HUGH K. LEATHERMAN, SR.
CHAIRMAN, SENATE FINANCE COMMITTEE

ROBERT W. HARRELL, JR.
CHAIRMAN, WAYS AND MEANS COMMITTEE

FRANK W. FUSCO
EXECUTIVE DIRECTOR

JOSEPH O. ROGERS III
DIRECTOR

REAL PROPERTY SERVICES
1201 MAIN STREET, SUITE 410
COLUMBIA, SOUTH CAROLINA 29201

ALTON T. LOFTIS
MANAGER

MEMORANDUM

To: Agency Contacts
From: Bruce Taylor, Division of General Services
Subject: Budget and Control Board Easement Policy
Date: February 5, 2004

At its meeting of December 9, 2003, the Budget and Control Board adopted a revised Policy concerning the granting of easements over State lands and navigable waterways under the purview of the Budget and Control Board. The revised Policy is as follows:

- (a) A charge of \$500 and \$200 per acre for each easement granted by the Budget and Control Board across navigable waterways and submerged lands.
- (b) For those easements over state-owned real property under the purview of the Budget and Control Board, \$500 will be charged in addition to the fair market value of the easement area as determined by the General Services Division.
- (c) Political subdivisions will also be charged in the same manner as any other applicant for any easement granted by the Budget and Control Board, regardless of the location.
- (d) Easements will be granted for a fifty-year duration with renewal at the State's discretion for an appropriate additional charge.
- (e) Agencies which grant easements for which the Budget and Control Board concurs and acquiesces should determine their easement consideration in a manner that is consistent with the Policy of the Board.

If you have any questions, please call me at (803) 737-0003.